

SOUTH FLORIDA
REGIONAL TRANSPORTATION
AUTHORITY
LEGISLATIVE COMMITTEE

MEETING AGENDA
December 8, 2006
8:30 a.m.

Board Room
800 NW 33rd Street
Suite 100
Pompano Beach, FL 33064

www.sfrta.fl.gov

SFRTA Board Members

Commissioner Bruno Barreiro
James A. Cummings
Marie Horenburger

Neisen Kasdin
Commissioner Jeff Koons
John Martinez

George Morgan, Jr.
Bill T. Smith

Executive Director

Joseph Giuliatti

Directions to SFRTA: I-95 to Copans Road. Go west on Copans to North Andrews Avenue Ext. and turn right. Go straight to Center Port Circle, which is NW 33rd Street, and turn right. SFRTA's offices are in the building to the right. The SFRTA offices are also accessible by taking the train to the Pompano Beach Station. The SFRTA building is South of the station. Parking is available across the street from SFRTA's offices, at the Pompano Beach Station.

LEGISLATIVE COMMITTEE MEETING
OF DECEMBER 8, 2006

The meeting will convene at 8:30 a.m., and will be held in the Board Room of the South Florida Regional Transportation Authority, Administrative Offices, 800 NW 33rd Street, Suite 100, Pompano Beach, Florida 33064.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL – Additions, Deletions, Revisions

MATTERS BY THE PUBLIC – Persons wishing to address the Legislative Committee are requested to complete an “Appearance Card” and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Committee Member, however, that item may be removed from the Consent Agenda and considered separately.

There is no consent Agenda item.

REGULAR AGENDA

Those matters included under the Regular Agenda indicate that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

R1. MOTION TO APPROVE:

- A. South Florida Regional Transportation Authority’s (SFRTA) State Legislative Plan for Fiscal Year 2007-08 and directs staff to work with the appropriate agencies and elected local and state representatives to implement the recommended initiatives.
- B. Delegate authority to the Chair of the Governing Board and/or the Chair of the Legislative Committee to make changes to the FY2007-08 State Legislative Plan during the legislative session and to report any changes to the Board at each regularly-scheduled Board meeting.

Department: Planning & Capital Development
Project Manager: Michelle M’Sadoques

Department Director: Jack Stephens
Contracts Director: Chris Bross

EXECUTIVE DIRECTOR REPORTS/COMMENTS

OTHER BUSINESS

ADJOURNMENT

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 NW 33rd Street, Suite 100, Pompano Beach, Florida, or telephone (954) 942-RAIL (7245) for assistance; if hearing impaired, telephone (800) 273-7545 (TTY) for assistance.

Any person who decides to appeal any decision made by the Legislative Committee of the South Florida Regional Transportation Authority with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons wishing to address the Legislative Committee are requested to complete an "Appearance Card" and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
LEGISLATIVE COMMITTEE MEETING: DECEMBER 8, 2006

AGENDA ITEM REPORT

☐ Consent ☒ Regular ☐ Public Hearing

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
FISCAL YEAR 2007-08 STATE LEGISLATIVE PLAN

REQUESTED ACTION:

MOTION TO APPROVE:

- A. South Florida Regional Transportation Authority's (SFRTA) State Legislative Plan for Fiscal Year 2007-08 and direct staff to work with the appropriate agencies and elected local and state representatives to implement the recommended initiatives.
- B. Delegate authority to the Chair of the Governing Board and/or the Chair of the Legislative Committee to make changes to the FY 2007-08 State Legislative Plan during the legislative session and to report any changes to the Board at each regularly-scheduled Board meeting.

SUMMARY EXPLANATION AND BACKGROUND:

Staff and our tri-county and state legislative consultant, Ericks Consulting, Inc., have developed a comprehensive State Legislative Plan in collaboration with the Intergovernmental Staff of Miami-Dade, Palm Beach and Broward Counties. On December 8, 2006, staff will present the Proposed FY 2007-08 State Legislative Initiatives to the SFRTA Legislative Committee and the Committee is being asked by staff to recommend approval of the proposed initiatives (Exhibit 1) to the Board.

The FY 2007-08 State Legislative Plan's primary focus is for a regional dedicated funding source that will yield a minimum of \$50 million annually to leverage available Federal and State funds to build, maintain and operate an expanded regional transportation system in South Florida. It also provides for the elimination of SFRTA's county funding upon commencement of the collection of dedicated funding for the SFRTA. In addition, the Plan includes the following housekeeping and/or cleanup language from the SFRTA legislation.

(Continued on page 2)

Department: Planning & Capital Development
Project Manager: Michelle M'Sadoques

Department Director: Jack Stephens
Contracts Director: Chris Bross

FISCAL IMPACT: N/A

EXHIBITS ATTACHED: Exhibit 1- Summary of Proposed FY 2007-08 State Legislative Initiatives
 Exhibit 2- FY 2007-08 State Legislative Plan Proposed Language
 Exhibit 3 – MPOAC Proposed Legislative Language

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
FISCAL YEAR 2007-08 STATE LEGISLATIVE PLAN

SUMMARY EXPLANATION AND BACKGROUND (Continued):

- Removes holdover references to “commuter rail” from previous legislation.
- Secures dedicated funding source
- Grants ability to issue bonds outside of the Division of Bond Finance
- Changes county funding level and allocation dispersion to October, consistent with the beginning of the counties’ fiscal year.
- Seeks public records exemption for appraisals, offers and counter offers prior to execution of the contract.
- Seeks exemption from Florida Administrative Code to provide greater flexibility in carrying out the Agency’s function.

The draft FY 2007-08 State Legislative Plan Proposed Language (Exhibit 2) details the proposed initiative, current and proposed legislative language and additional comments regarding the initiative. In addition to specific items included in this package, SFRTA will support compatible legislative efforts of Miami-Dade, Broward and Palm Beach Counties and additional transportation and land use stakeholders in South Florida.

Current regional transit needs are estimated at over \$20 billion with only about half being included in the region’s MPO 2030 Cost Feasible Plans. SFRTA’s 2030 Sketch Plan identifies 10 “focus” projects for the Agency with preliminary estimates of probable cost to build, maintain and operate the projects of \$5 billion in capital and \$100 million in annual operating costs (Exhibit 3). These projects are consistent with MPO plans. To leverage available Federal and State funds, the SFRTA will require a \$50 million minimum dedicated funding level. The SFRTA may choose to bond a portion of this funding to help accelerate the “focus” projects.

During the last session, the Florida House of Representatives and the Florida Senate both supported legislation that would allow local counties to put a countywide referendum to the voters for an additional \$2 rental car fee on vehicles rented in the county, excluding the vehicles being rented for purposes of repairs. Legislative leaders from the Orlando area introduced the legislation and SFRTA staff, along with Ericks Consultants, worked closely with the delegation from Central Florida to pass this legislation in the House and Senate. Unfortunately, this legislation was vetoed by the Governor. This \$2 rental car fee

(Continued on page 3)

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
FISCAL YEAR 2007-08 STATE LEGISLATIVE PLAN

SUMMARY EXPLANATION AND BACKGROUND (Continued):

would have generated approximately \$45 million this past fiscal year and would have met all the State and Federal requirements as a dedicated funding source.

For this year, staff will coordinate early on with the Central Florida transportation agencies to work together to find a dedicated funding source. A \$2 rental car fee is what is recommended again this session.

Also in the 2007 Legislative Session the MPOAC is proposing legislation that would change the TRIP funding to make all transit projects equal. Staff is requesting support of the SFRTA Governing Board for this legislation and to work with the MPOAC staff to ensure its success (Exhibit 3).

The Final FY 2007-08 State Legislative Plan will be presented at each county commission meeting and also to the Miami-Dade, Broward and Palm Beach Legislative Delegations between January and February 2007. Additionally, Ericks Consultants, Inc. will secure sponsors in the Florida House of Representatives and Florida Senate for the initiatives

Upon Board approval, staff will continue to coordinate with Ericks Consultants, Inc., Miami-Dade, Broward and Palm Beach Counties for the development of a comprehensive regional legislative plan. Staff will continue to provide updates of the status of the FY 2007-08 State Legislative Plan prior to the commencement of, and in addition to, the FY 2007-08 Florida Legislative Session in beginning March to May 2007.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
FISCAL YEAR 2007-08 STATE LEGISLATIVE PLAN

Recommended by: _____
Department Director Date

Approved by: _____
Contracts Director Date

Authorized by: _____
Executive Director Date

Approved as to Form by: _____
General Counsel Date

Board Action:

Approved: _____ Yes _____ No

Vote: _____ Unanimous

Amended Motion:

Commissioner Bruno Barreiro	_____ Yes _____ No
James A .Cummings	_____ Yes _____ No
Marie Horenburger	_____ Yes _____ No
Neisen Kasdin	_____ Yes _____ No
Bill T. Smith	_____ Yes _____ No

Commissioner Jeff Koons	_____ Yes _____ No
John Martinez	_____ Yes _____ No
George A. Morgan, Jr.	_____ Yes _____ No
Commissioner James A. Scott	_____ Yes _____ No

Exhibit 1

South Florida Regional Transportation Authority Summary of Proposed FY 2007-08 State Legislative Initiatives December 8, 2006

Initiative	Description	Justification
Florida Statute 343.54(1)(b) Removal of "commuter rail" terminology	Removes holdover references to "commuter rail" from previous legislation.	Correction of language to remove restriction to commuter rail.
Florida Statute 343.55 Issuance of revenue bonds	Allows SFRTA to issue bonds, etc independently	Gives SFRTA flexibility in developing and implementing debt financing programs.
Florida Statute 343.58(1-2) Dedicated Funding Source	Seeks at least \$50 million annual dedicated funding for SFRTA operating and capital budgets. Changes county funding allocation dispersion to October consistent with the beginning of the counties' fiscal year.	Provide a regional dedicated funding source to be leveraged with Federal and State funds necessary to build, maintain and operate an expanded regional transportation system in South Florida Ensures county funding dispersion to SFRTA is compatible with the county fiscal year.
	Eliminates county funding upon commencement of dedicated funding collection.	Replaces annual county funding with a regional dedicated funding source that generates a minimum of \$50 million annually to fund regional transit projects.

South Florida Regional Transportation Authority
Summary of Proposed FY 2007-08 State Legislative Initiatives
December 8, 2006

Continued

Initiative	Description	Justification
Florida Statute 343.59 Public Records Exemption	Seeks public records exemption for appraisals, offers and counter offers prior to execution of contract	Allows agencies to acquire lands using public funds without having to disclose information the agency has obtained regarding the appraised value of the property. The goal is to allow for the purchase of lands using public funds at competitive prices resulting from negotiation between parties. Each party is entitled to independently obtain property value information regarding the property. Disclosure of the agency's appraisal could put it at a disadvantage during negotiations. This exemption is currently granted to water management districts, cities and counties.
Florida Statute 120.52 Exemption from Florida Administrative Code	Provides exemption from Florida Administrative Code	Seeks exemption from Florida Administrative Code to provide greater flexibility in carrying out the agency's function. This exemption is consistent with other regional agencies in Florida such as expressway authorities and metropolitan planning organizations. Counties and municipalities are also exempt from Chapter 120, F.S.

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
Florida Statute 343.54(1)(b) - correction of "commuter rail" terminology	(b) It is the express intention of this part that the authority be authorized to plan, develop, own, purchase, lease, or otherwise acquire, demolish, construct, improve, relocate, equip, repair, maintain, operate, and manage a transit system and transit facilities; to establish and determine the policies necessary for the best interest of the operation and promotion of a transit system; and to adopt rules necessary to govern the operation of a commuter rail system and a commuter rail facilities. It is the intent of the Legislature that the South Florida Regional Transportation Authority shall have overall authority to coordinate, develop, and operate a regional transportation system within the area served	(b) It is the express intention of this part that the authority be authorized to plan, develop, own, purchase, lease, or otherwise acquire, demolish, construct, improve, relocate, equip, repair, maintain, operate, and manage a transit system and transit facilities; to establish and determine the policies necessary for the best interest of the operation and promotion of a transit system; and to adopt rules necessary to govern the operation of a transit commuter rail system and transit commuter rail facilities. It is the intent of the Legislature that the South Florida Regional Transportation Authority shall have overall authority to coordinate, develop, and operate a regional transportation system within the area served.	Removes holdover references to "commuter rail" from previous legislation and rename as transit..
Florida Statute 343.55 - Issuance of revenue bonds	(1) The authority is authorized to borrow money as provided by the State Bond Act for the purpose of paying all or any part of the cost of any one or more projects of the South Florida Regional Transportation Authority. The principal of, and the interest on, such bonds shall be payable solely from revenues pledged for their payment. (2) The proceeds of the bonds of	(1) The authority is authorized to borrow money as provided by the State Bond Act for the purpose of paying all or any part of the cost of any one or more projects of the South Florida Regional Transportation Authority. The principal of, and the interest on, such bonds shall be payable solely from revenues pledged for their payment. (2) The proceeds of the bonds of	Gives SFRTA flexibility in developing and implementing debt financing programs.

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
	<p>each issue shall be used solely for the payment of the cost of the projects for which such bonds shall have been issued, except as provided in the State Bond Act. Such proceeds shall be disbursed and used as provided in this part and in such manner and under such restrictions, if any, as the Division of Bond Finance may provide in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same.</p> <p>(3) The Division of Bond Finance is authorized to issue revenue bonds on behalf of the authority to finance or refinance the cost of Tri-County Rail projects.</p>	<p>each issue shall be used solely for the payment of the cost of the projects for which such bonds shall have been issued, except as provided in the State Bond Act. Such proceeds shall be disbursed and used as provided in this part and in such manner and under such restrictions, if any, as the Division of Bond Finance may provide in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same.</p> <p>(3) The Division of Bond Finance is authorized to issue revenue bonds on behalf of the authority to finance or refinance the cost of Tri-County Rail projects.</p> <p>(3)(a) The authority may issue, reissue, or redeem bonds, which do not pledge the full faith and credit of the state in such principal amount as, in the opinion of the authority, is necessary to provide sufficient moneys for achieving its corporate purposes.</p> <p>(b) The bonds of the authority whether on original issuance or refunding, must be authorized by resolution of the authority, after approval of the issuance of the bonds at a public hearing, and may be either term or serial bonds, shall bear such date or dates, mature at</p>	

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
		<p><u>such time or times, bear interest at such rate or rates, at such times, be in such denominations, be in such form, either coupon or fully registered, shall carry such registration, exchangeability and interchangeability privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption and be entitled to such priorities on the revenues, rates, fees, rentals, or other charges or receipts of the authority as such resolution or any resolution subsequent thereto may provide. The bonds must be executed by such officers as the authority determines under the requirements of s. 279.06.</u></p> <p><u>(c) Said bonds shall be sold by the authority at public sale by competitive bid. However, if the authority, after receipt of a written recommendation from a financial adviser shall determine by official action after public hearing by a two-thirds vote of all voting members of the authority that a negotiated sale of the bonds is in the best interest of the authority, the authority may negotiate for sale of the bonds with the underwriter or underwriters designated by the authority. The authority shall provide specific</u></p>	

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
		<p><u>findings in a resolution as to the reasons requiring the negotiated sale, which resolution shall incorporate and have attached thereto the written recommendation of the financial adviser required by this subsection.</u></p> <p><u>(d) Any such resolution or resolutions authorizing any bonds hereunder which do not pledge the full faith and credit of the state may contain provisions that are part of the contract with the holders of the bonds, as the authority determines proper. In addition, the authority may enter into trust indentures or other agreements with its fiscal agent, or with any bank or trust company within or without the state, as security for such bond, and may, under the agreements, assign and pledge the revenues, rates, fees, rentals, tolls, or other charges or receipts of the authority.</u></p> <p><u>(e) any of the bonds issued pursuant to this part are negotiable instruments and have all the qualities and incidents of negotiable instruments under the law merchant and the negotiable instruments law of the state.</u></p>	

**South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006**

Florida Statute	Current Legislation	Proposed Changes	Comments
Florida Statute 343.58(1-2) - Funding source	(1) Each county served by the South Florida Regional Transportation Authority must dedicate \$2.67 million to the authority by the governing body of each county by August 1, 2003. Notwithstanding ss. 206.41 and 206.87, such dedicated funding may come from each county's share of the ninth-cent fuel tax, the local option fuel tax, or any other source of local gas taxes or other nonfederal funds available to the counties. In addition, the Legislature authorizes the levy of an annual license tax in the amount of \$2 for the registration or renewal of registration of each vehicle taxed under s. 320.08 and registered in the area served by the South Florida Regional Transportation Authority. The annual license fee shall take effect in any county served by the authority upon approval by the residents in a county served by the authority. The annual license tax shall be levied and the Department of Highway Safety and Motor Vehicles shall remit the proceeds each month from the tax to the South Florida Regional Transportation Authority.	(1) Each county served by the South Florida Regional Transportation Authority must dedicate <u>and</u> transfer not less than \$2.67 million to the authority by the governing body of each county by August 1, 2003 prior to October 31 of each fiscal year. Notwithstanding ss. 206.41 and 206.87, s Such dedicated funding may shall come from each county's share of the ninth-cent fuel tax, the local option fuel tax, or any other source of local gas taxes or other nonfederal funds available to the counties. In addition, the Legislature authorizes the levy of an annual license tax in the amount of \$2 for the registration or renewal of registration of each vehicle taxed under s. 320.08 and registered in the area served by the South Florida Regional Transportation Authority. The annual license tax shall take effect in any county served by the authority upon approval by the residents in a county served by the authority. The annual title fee license tax shall be levied and the Department of Highway Safety and Motor Vehicles shall remit the proceeds each month from the tax	Changes funding allocation dispersion to October in conjunction with the beginning of counties' fiscal year. Identifies a dedicated funding source to generate a minimum of \$50 million annually to fund SFRTA's legislative mandate. Provides for elimination of County funding upon commencement of dedicated funding collection. Changes existing minimum county contribution to reflect SFRTA/Tri-Rail funding requirements for 20-minute service once double tracking is completed.

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
	<p>(2) In addition, each county shall continue to annually fund the operations of the South Florida Regional Transportation Authority in an amount not less than \$1.565 million. Such funds pursuant to this subsection shall also be considered a dedicated funding source.</p> <p>(3) If, by December 31, 2009, the South Florida Regional Transportation Authority has not received federal matching funds based upon the dedication of funds under subsection (1), subsection (1) shall be repealed.</p>	<p>to the South Florida Regional Transportation Authority.</p> <p>(2) At least \$45 million of a state-authorized, local-option recurring funding source available to Broward, Miami-Dade, and Palm Beach Counties shall be directed to the authority to fund its capital, operating, and maintenance expenses. The funding source shall be dedicated to the authority only if Broward, Miami-Dade, and Palm Beach Counties each impose the local-option funding source.</p> <p>(3) (2) In addition, each county shall continue to annually fund the operations of the South Florida Regional Transportation Authority in an amount not less than \$1.565 million. Revenue raised Such funds pursuant to this subsection shall also be considered a dedicated funding source</p> <p>(4) The current funding obligations in Subsections (1) and (3) shall cease upon commencement of the collection of the funding source described in subsection (2). Should the funding in subsection (2) be discontinued for any reason, the</p>	

**South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006**

Florida Statute	Current Legislation	Proposed Changes	Comments
		<p><u>funding obligations under subsections (1) and (3) shall resume when the collection of the funding source under subsection (2) ceases. Payment by the Counties will be on a pro rata basis the first year following cessation of the funding source in subsection (2).</u></p> <p><u>The Authority shall refund a pro rata share of payments for the current fiscal year made pursuant to the current funding obligations in subsections (1) and (3) as soon as reasonably practicable after it begins to receive proceeds as described in subsection (2)</u></p> <p><u>(3) If, by December 31, 2015 2009, the South Florida Regional Transportation Authority has not received federal matching funds based upon the dedication of funds under subsection (1), subsection (1) shall be repealed.</u></p> <p><u>(4) The Legislature finds that a proper and legitimate state purpose is served in the effective and efficient planning and operation of a regional transportation system. Therefore, the Legislature determines and declares that this act fulfills an important state interest.</u></p>	

**South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006**

Florida Statute	Current Legislation	Proposed Changes	Comments
Florida Statute 343.59 - Public Records Exemption of appraisals, offers, and counteroffers prior to execution of the contract.	N/A	<p><u>343.59 Confidentiality of Appraisal Reports, Offers, and Counteroffers.</u></p> <p><u>(1) Appraisal reports, offers, and counteroffers relating to land acquisition by the authority are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until an option contract is executed or, if no option contract is executed, until 30 days before a contract or agreement for purchase is considered for approval by the authority's governing board.</u></p> <p><u>(2) The authority may, at its discretion, disclose appraisal reports to private landowners during negotiations for acquisitions using alternatives to fee simple techniques, if the authority determines that disclosure of such reports will bring the proposed acquisition to closure. In the event that negotiation is terminated by the authority, the appraisal report, offers, and counteroffers shall become available pursuant to s. 119.07(1) and s. 24(a) Art I of the State Constitution..</u></p> <p><u>(3) The authority may share and disclose appraisal reports, appraisal information, offers, and</u></p>	<p>This provision allows agencies to acquire lands using public funds without having to disclose information the agency has obtained regarding the appraised value of the property. The goal is to allow for the purchase of lands using public funds at competitive prices resulting from negotiation between the parties. Each party is entitled to independently obtain property value information regarding the property. Disclosure of the agency's appraisal could put it at an unfair advantage during negotiations.</p> <p>This exemption is currently granted to water management districts, cities and counties.</p>

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
		<p>counteroffers when joint acquisition of property is contemplated.</p> <p>(4) <u>The authority may disclose appraisal information, offers, and counteroffers to a third party who has entered into a contractual agreement with the authority to work with or on the behalf of or to assist the authority in connection with land acquisitions.</u></p> <p><u>Section 2. The Legislature finds that it is a public necessity that appraisal reports, offers, and counteroffers be kept confidential and exempt from public records requirements when held by the South Florida Regional Transportation Authority.</u></p> <p><u>Disclosure would adversely affect the goal of the purchase of lands for the public good using public funds at competitive prices resulting from negotiations between parties.</u></p> <p><u>Further, each party is entitled to independently obtain appraisal reports and property value information regarding said property.</u></p> <p><u>Disclosure of the appraisal report or property information by the authority could create an unfair disadvantage for the authority during negotiating parties. Thus, the public and private harm in disclosing this information</u></p>	

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute	Current Legislation	Proposed Changes	Comments
		significantly outweighs any public benefit derived from disclosure, and the public's ability to scrutinize and monitor agency action is <u>not diminished by nondisclosure of this information.</u>	

South Florida Regional Transportation Authority
FY 2006-07 State Legislative Plan Proposed Language
December 8, 2006

Florida Statute 120.52 Exemption from Florida Administrative Code	<p>This definition does not include any legal entity or agency created in whole or in part pursuant to chapter 361, part II, any metropolitan planning organization created pursuant to s. 339.175, any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member, an expressway authority pursuant to chapter 348, any legal or administrative entity created by an Interlocal agreement pursuant to s. 163.01 (7), unless any party to such agreement is otherwise an agency as defined in this subsection, or any multicounty special district with a majority of its governing board comprised of elected persons; however, this definition shall include a regional water supply authority.</p>	<p>This definition does not include any legal entity or agency created in whole or in part pursuant to chapter 361, part II, any metropolitan planning organization created pursuant to s. 339.175, any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member, an expressway authority pursuant to chapter 348, a regional transportation authority pursuant to chapter 343, any legal or administrative entity created by an interlocal agreement pursuant to s. 163.01(7), unless any party to such agreement is otherwise an agency as defined in this subsection, or any multicounty special district with a majority of its governing board comprised of elected persons; however, this definition shall include a regional water supply authority.</p>	<p>Seeks exemption from Florida Administrative Code to provide greater flexibility in carrying out the agency's function. This exemption is consistent with other regional agencies in Florida such as expressway authorities and metropolitan planning organizations. Counties and municipalities are also exempt from Chapter 120, F.S.</p>
---	---	---	---

Exhibit 3

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (14) of section 112.061, Florida Statutes, is amended to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.--

(14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT SCHOOL BOARDS, AND SPECIAL DISTRICTS.--

(a) Rates that exceed the maximum travel reimbursement rates for nonstate travelers specified in paragraph (6)(a) for per diem, in paragraph (6)(b) for subsistence, and in subparagraph (7)(d)1. for mileage may be established by:

1. The governing body of a county by the enactment of an ordinance or resolution;

2. A county constitutional officer, pursuant to s. 1(d), Art. VIII of the State Constitution, by the establishment of written policy;

3. The governing body of a district school board by the adoption of rules; ~~or~~

4. The governing body of a special district, as defined in s. 189.403(1), except those special districts that are subject to s. 166.021(10), by the enactment of a resolution; or

5. Any metropolitan planning organization created pursuant to s. 339.175, or any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member, by enactment of a resolution.

(b) Rates established pursuant to paragraph (a) must apply uniformly to all travel by the county, county constitutional officer and entity governed by that officer, district school board, ~~or~~ special district, or metropolitan planning organization.

(c) Except as otherwise provided in this subsection, counties, county constitutional officers and entities governed by those officers, district school boards, and special districts, other than those subject to s. 166.021(10), remain subject to the requirements of this section.

Section 2. Paragraph (a) of subsection (42) and paragraph (b) of subsection (52) of section 121.021, Florida Statutes, are amended to read:

121.021 Definitions.--The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(42)(a) "Local agency employer" means the board of county commissioners or other legislative governing body of a county, however styled, including that of a consolidated or metropolitan government; a clerk of the circuit court, sheriff, property appraiser, tax collector, or supervisor of elections, provided such officer is elected or has been appointed to fill a vacancy in an elective office; a community college board of trustees or district school board; or the governing body of any city, metropolitan planning organization created pursuant to s. 339.175, or any separate legal or administrative entity created pursuant to s. 339.175, or special district of the state which participates in the system for the benefit of certain of its employees.

(52) "Regularly established position" is defined as follows:

(b) In a local agency (district school board, county agency, community college, city, metropolitan planning organization, or special district), the term means a regularly established position which will be in existence for a period beyond 6 consecutive months, except as provided by rule.

Section 3. Paragraph (b) of subsection (2) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.--

(2) OPTIONAL PARTICIPATION.--

(b)1. The governing body of any municipality, metropolitan planning organization, or special district in the state may elect to participate in the system upon proper application to the administrator and may cover all or any of its units as approved by the Secretary of Health and Human Services and the administrator. The department shall adopt rules establishing provisions for the submission of documents necessary for such application. Prior to being approved for participation in the Florida Retirement System, the governing body of any such municipality, metropolitan planning organization, or special district that has a local retirement system shall submit to the administrator a certified financial statement showing the condition of the local retirement system as of a date within 3 months prior to the proposed effective date of membership in the Florida Retirement System. The statement must be certified by a recognized accounting firm that is independent of the local retirement system. All required documents necessary for extending Florida Retirement System coverage must be received by the department for consideration at least 15 days prior to the

proposed effective date of coverage. If the municipality, metropolitan planning organization, or special district does not comply with this requirement, the department may require that the effective date of coverage be changed.

2. Any city, metropolitan planning organization, or special district that has an existing retirement system covering the employees in the units that are to be brought under the Florida Retirement System may participate only after holding a referendum in which all employees in the affected units have the right to participate. Only those employees electing coverage under the Florida Retirement System by affirmative vote in said referendum shall be eligible for coverage under this chapter, and those not participating or electing not to be covered by the Florida Retirement System shall remain in their present systems and shall not be eligible for coverage under this chapter. After the referendum is held, all future employees shall be compulsory members of the Florida Retirement System.

3. The governing body of any city, metropolitan planning organization, or special district complying with subparagraph 1. may elect to provide, or not provide, benefits based on past service of officers and employees as described in s. 121.081(1). However, if such employer elects to provide past service benefits, such benefits must be provided for all officers and employees of its covered group.

4. Once this election is made and approved it may not be revoked, except pursuant to subparagraphs 5. and 6., and all present officers and employees electing coverage under this chapter and all future officers and employees shall be compulsory members of the Florida Retirement System.

5. Subject to the conditions set forth in subparagraph 6., the governing body of any hospital

licensed under chapter 395 which is governed by the board of a special district as defined in s. 189.403(1) or by the board of trustees of a public health trust created under s. 154.07, hereinafter referred to as "hospital district," and which participates in the system, may elect to cease participation in the system with regard to future employees in accordance with the following procedure:

a. No more than 30 days and at least 7 days before adopting a resolution to partially withdraw from the Florida Retirement System and establish an alternative retirement plan for future employees, a public hearing must be held on the proposed withdrawal and proposed alternative plan.

b. From 7 to 15 days before such hearing, notice of intent to withdraw, specifying the time and place of the hearing, must be provided in writing to employees of the hospital district proposing partial withdrawal and must be published in a newspaper of general circulation in the area affected, as provided by ss. 50.011-50.031. Proof of publication of such notice shall be submitted to the Department of Management Services.

c. The governing body of any hospital district seeking to partially withdraw from the system must, before such hearing, have an actuarial report prepared and certified by an enrolled actuary, as defined in s. 112.625(3), illustrating the cost to the hospital district of providing, through the retirement plan that the hospital district is to adopt, benefits for new employees comparable to those provided under the Florida Retirement System.

d. Upon meeting all applicable requirements of this subparagraph, and subject to the conditions set forth in subparagraph 6., partial withdrawal from the system and adoption of the alternative retirement plan may be

accomplished by resolution duly adopted by the hospital district board. The hospital district board must provide written notice of such withdrawal to the division by mailing a copy of the resolution to the division, postmarked no later than December 15, 1995. The withdrawal shall take effect January 1, 1996.

6. Following the adoption of a resolution under sub-subparagraph 5.d., all employees of the withdrawing hospital district who were participants in the Florida Retirement System prior to January 1, 1996, shall remain as participants in the system for as long as they are employees of the hospital district, and all rights, duties, and obligations between the hospital district, the system, and the employees shall remain in full force and effect. Any employee who is hired or appointed on or after January 1, 1996, may not participate in the Florida Retirement System, and the withdrawing hospital district shall have no obligation to the system with respect to such employees.

Section 4. Paragraph (1) is added to subsection (1) of section 121.055, Florida Statutes, to read:

121.055 Senior Management Service Class.--There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(1)

(1) For each metropolitan planning organization that has opted to become part of the Florida Retirement System, participation in the Senior Management Service Class shall be compulsory for the executive director or staff director of that metropolitan planning organization or similar entity created pursuant to s. 339.175.

Section 5. Paragraphs (a) and (c) of subsection (2) of section 121.061, Florida Statutes, are amended to read:

121.061 Funding.--

(2)(a) Should any employer other than a state employer fail to make the retirement and social security contributions, both member and employer contributions, required by this chapter, then, upon request by the administrator, the Department of Revenue or the Department of Financial Services, as the case may be, shall deduct the amount owed by the employer from any funds to be distributed by it to the county, city, metropolitan planning organization, special district, or consolidated form of government. The amounts so deducted shall be transferred to the administrator for further distribution to the trust funds in accordance with this chapter.

(c) The governing body of each county, city, metropolitan planning organization, special district, or consolidated form of government participating under this chapter or the administrator, acting individually or jointly, is hereby authorized to file and maintain an action in the courts of the state to require any employer to remit any retirement or social security member contributions or employer matching payments due the retirement or social security trust funds under the provisions of this chapter.

Section 6. Paragraphs (a), (b), and (e) of subsection (1) of section 121.081, Florida Statutes, are amended to read:

121.081 Past service; prior service; contributions.--Conditions under which past service or prior service may be claimed and credited are:

(1)(a) Past service, as defined in s. 121.021(18), may be claimed as creditable service by officers or

employees of a city, metropolitan planning organization, or special district that become a covered group under this system. The governing body of a covered group in compliance with s. 121.051(2)(b) may elect to provide benefits with respect to past service earned prior to January 1, 1975, in accordance with this chapter, and the cost for such past service shall be established by applying the following formula: The member contribution for both regular and special risk members shall be 4 percent of the gross annual salary for each year of past service claimed, plus 4-percent employer matching contribution, plus 4 percent interest thereon compounded annually, figured on each year of past service, with interest compounded from date of annual salary earned until July 1, 1975, and 6.5 percent interest compounded annually thereafter until date of payment. Once the total cost for a member has been figured to date, then after July 1, 1975, 6.5 percent compounded interest shall be added each June 30 thereafter on any unpaid balance until the cost of such past service liability is paid in full. The following formula shall be used in calculating past service earned prior to January 1, 1975: (Annual gross salary multiplied by 8 percent) multiplied by the 4 percent or 6.5 percent compound interest table factor, as may be applicable. The resulting product equals cost to date for each particular year of past service.

(b) Past service earned after January 1, 1975, may be claimed by officers or employees of a city, metropolitan planning organization, or special district that becomes a covered group under this system. The governing body of a covered group may elect to provide benefits with respect to past service earned after January 1, 1975, in accordance with this chapter, and the cost for such past service shall

be established by applying the following formula: The employer shall contribute an amount equal to the contribution rate in effect at the time the service was earned, multiplied by the employee's gross salary for each year of past service claimed, plus 6.5 percent interest thereon, compounded annually, figured on each year of past service, with interest compounded from date of annual salary earned until date of payment.

(e) Past service, as defined in s. 121.021(18), may be claimed as creditable service by a member of the Florida Retirement System who formerly was an officer or employee of a city, metropolitan planning organization, or special district, notwithstanding the status or form of the retirement system, if any, of that city, metropolitan planning organization, or special district and irrespective of whether officers or employees of that city, metropolitan planning organization, or special district now or hereafter become a covered group under the Florida Retirement System. Such member may claim creditable service and be entitled to the benefits accruing to the regular class of members as provided for the past service claimed under this paragraph by paying into the retirement trust fund an amount equal to the total actuarial cost of providing the additional benefit resulting from such past-service credit, discounted by the applicable actuarial factors to date of retirement.

Section 7. Subsection (2) of section 339.2819, Florida Statutes, is amended to read:

339.2819 Transportation Regional Incentive Program.--

(2) The percentage of matching funds provided from the Transportation Regional Incentive Program shall be 50 percent of project costs, ~~or up to 50 percent of the nonfederal share of the eligible project cost for a public transportation facility project.~~

Section 8. Subsection (1), paragraphs (a) and (b) of subsection (2), paragraphs (a) and (b) of subsection (3), and subsections (5) and (12) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.--It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight within and through urbanized areas of this state while minimizing transportation-related fuel consumption and air pollution. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.'s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For

the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

(1) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. The ~~such~~ designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to the ~~such~~ agreement.

2. More than one M.P.O. may be designated within an existing metropolitan planning area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing metropolitan planning area makes the designation of more than one M.P.O. for the area appropriate.

(b) Each M.P.O. required to be designated by Title 23 U.S.C. shall be created and operated under the provisions of this section pursuant to an interlocal agreement entered into pursuant to s. 163.01. The signatories to the interlocal agreement shall be the department and the governmental entities designated by the Governor for membership on the M.P.O. Each M.P.O. shall be considered separate from the state or the governing body of a local government which is represented on the governing board of the M.P.O. or which is a signatory to the interlocal agreement creating the M.P.O. and shall have such powers

and privileges that are provided pursuant to s. 163.01. If there is a conflict between this section and s. 163.01, this section prevails.

(e) The governing body of the M.P.O. shall designate at least a chair, vice chair, and agency clerk. The chair and vice chair shall be selected from among the member delegates comprising the governing board. The agency clerk shall be charged with the responsibility of preparing meeting minutes and maintaining agency records. The clerk shall be a member of the M.P.O. governing board, an employee of the M.P.O., or other natural person.

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(2) VOTING MEMBERSHIP.--

(a) The voting membership of an M.P.O. shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulations. The Governor, in accordance with 23 U.S.C. s. 134, may also provide for M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the M.P.O. County commission members shall compose not less than one-third of the M.P.O. membership, except for an M.P.O. with more than 15 members located in a county with a 5-member ~~five-member~~ county commission or an M.P.O. with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third percent of the M.P.O. membership, but all county commissioners must be members. All voting members shall be

elected officials of general-purpose local governments, except that an M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of the Florida Space Authority. As used in this section, elected officials of a general-purpose local government shall exclude constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials. County commissioners ~~The county commission~~ shall compose not less than 20 percent of the M.P.O. membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an M.P.O.

(b) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are performing transportation functions that are not under the jurisdiction of a general-purpose ~~general-purpose~~ local government represented on the M.P.O., they shall be provided voting membership on the M.P.O. In all other M.P.O.'s where transportation authorities or agencies are to be represented by elected officials from general-purpose ~~general-purpose~~ local governments, the M.P.O. shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.

(3) APPORTIONMENT.--

(a) The Governor shall, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership on the applicable M.P.O. among the various

governmental entities within the area. At the request of a majority of the affected units of general-purpose local government comprising an M.P.O., the Governor and a majority of units of general-purpose local government serving on an M.P.O. shall cooperatively agree upon and prescribe who may serve as an alternate member and shall
~~prescribe~~ a method for appointing alternate members who may vote at any M.P.O. meeting that an alternate member attends in place of a regular member. The method shall be set forth as a part of the interlocal agreement describing the M.P.O.'s membership or in the M.P.O.'s operating procedures and bylaws. ~~An appointed alternate member must be an elected official serving the same governmental entity or a general-purpose local government with jurisdiction within all or part of the area that the regular member serves.~~ The governmental entity so designated shall appoint the appropriate number of members to the M.P.O. from eligible officials. Representatives of the department shall serve as nonvoting members of the M.P.O. governing board. Nonvoting advisers may be appointed by the M.P.O. as deemed necessary; however, to the maximum extent feasible, each M.P.O. shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the M.P.O. An M.P.O. shall appoint nonvoting advisers representing major military installations upon the request of the major military installations and subject to the agreement of the M.P.O. All nonvoting advisers may attend and participate fully in governing board meetings but shall not have a vote and shall not be members of the governing board. The Governor shall review the composition of the M.P.O. membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census,

and reapportion it as necessary to comply with subsection (2).

(b) Except for members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (2)(a), the members of an M.P.O. shall serve 4-year terms. Members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (2)(a) may serve terms of up to 4 years as further provided in the interlocal agreement described in paragraph (1)(b). The membership of a member who is a public official automatically terminates upon the member's leaving his or her elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the entity's governing board ~~a county or city governing~~ entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be reappointed for one or more additional 4-year terms.

(5) POWERS, DUTIES, AND RESPONSIBILITIES.--The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. shall be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law.

(a) Each M.P.O. shall, in cooperation with the department, develop:

1. A long-range transportation plan pursuant to the requirements of subsection (6);
2. An annually updated transportation improvement program pursuant to the requirements of subsection (7); and
3. An annual unified planning work program pursuant to the requirements of subsection (8).

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety and security of the transportation system for motorized and nonmotorized users;
3. Increase the accessibility and mobility options available to people and for freight;
4. Protect and enhance the environment, promote energy conservation, and improve quality of life;
5. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
6. Promote efficient system management and operation; and
7. Emphasize the preservation of the existing transportation system.

(c) In order to provide recommendations to the department and local governmental entities regarding transportation plans and programs, each M.P.O. shall:

1. Prepare a congestion management system for the metropolitan area and cooperate with the department in the

development of all other transportation management systems required by state or federal law;

2. Assist the department in mapping transportation planning boundaries required by state or federal law;

3. Assist the department in performing its duties relating to access management, functional classification of roads, and data collection;

4. Execute all agreements or certifications necessary to comply with applicable state or federal law;

5. Represent all the jurisdictional areas within the metropolitan area in the formulation of transportation plans and programs required by this section; and

6. Perform all other duties required by state or federal law.

(d) Each M.P.O. shall appoint a technical advisory committee that includes planners; engineers; representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments, as applicable; the school superintendent of each county within the jurisdiction of the M.P.O. or the superintendent's designee; and other appropriate representatives of affected local governments. In addition to any other duties assigned to it by the M.P.O. or by state or federal law, the technical advisory committee is responsible for considering safe access to schools in its review of transportation project priorities, long-range transportation plans, and transportation improvement programs, and shall advise the M.P.O. on such matters. In addition, the technical advisory committee shall coordinate its actions with local school boards and other local programs and organizations within the

metropolitan area which participate in school safety activities, such as locally established community traffic safety teams. Local school boards must provide the appropriate M.P.O. with information concerning future school sites and in the coordination of transportation service.

(e)1. Each M.P.O. shall appoint a citizens' advisory committee, the members of which serve at the pleasure of the M.P.O. The membership on the citizens' advisory committee must reflect a broad cross section of local residents with an interest in the development of an efficient, safe, and cost-effective transportation system. Minorities, the elderly, and the handicapped must be adequately represented.

2. Notwithstanding the provisions of subparagraph 1., an M.P.O. may, with the approval of the department and the applicable federal governmental agency, adopt an alternative program or mechanism to ensure citizen involvement in the transportation planning process.

(f) The department shall allocate to each M.P.O., for the purpose of accomplishing its transportation planning and programming duties, an appropriate amount of federal transportation planning funds.

(g) Each M.P.O. shall have an executive or staff director who reports directly to the M.P.O. governing board for all matters regarding the administration and operation of the M.P.O., and any additional personnel as deemed necessary. The executive director and any additional personnel may be employed either by an M.P.O. or by another governmental entity, such as a county, city, or regional planning council, which has a staff services agreement signed and in effect between the M.P.O. and that governmental entity. Each M.P.O. may employ personnel or

may enter into contracts with local or state agencies, private planning firms, ~~or~~ private engineering firms, or other public or private entities to accomplish its transportation planning and programming duties and administrative functions required by state or federal law.

(h) Each M.P.O. shall provide training opportunities for local elected officials and others who serve on an M.P.O. in order to enhance their knowledge, effectiveness, and participation in the urbanized area transportation planning process. The training opportunities may be conducted by an individual M.P.O. or through statewide and federal training programs and initiatives that are specifically designed to meet the needs of M.P.O. board members.

(i)-(h) A chair's coordinating committee is created, composed of the M.P.O.'s serving Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties. The committee must, at a minimum:

1. Coordinate transportation projects deemed to be regionally significant by the committee.
2. Review the impact of regionally significant land use decisions on the region.
3. Review all proposed regionally significant transportation projects in the respective transportation improvement programs which affect more than one of the M.P.O.'s represented on the committee.
4. Institute a conflict resolution process to address any conflict that may arise in the planning and programming of such regionally significant projects.

(j)-(i)1. The Legislature finds that the state's rapid growth in recent decades has caused many urbanized areas subject to M.P.O. jurisdiction to become contiguous to each other. As a result, various transportation projects may

cross from the jurisdiction of one M.P.O. into the jurisdiction of another M.P.O. To more fully accomplish the purposes for which M.P.O.'s have been mandated, M.P.O.'s shall develop coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other M.P.O.'s and appropriate political subdivisions as circumstances demand.

2. Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides ~~provide~~ the purpose for which the entity is created; provides ~~provide~~ the duration of the agreement and the entity, and specifies ~~specify~~ how the agreement may be terminated, modified, or rescinded; describes ~~describe~~ the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides ~~provide~~ the manner in which the parties to the agreement will provide for the financial

support of the entity and payment of costs and expenses of the entity; provides ~~provide~~ the manner in which funds may be paid to and disbursed from the entity; and provides ~~provide~~ how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. This paragraph does not require any M.P.O.'s to merge, combine, or otherwise join together as a single M.P.O.

(12) VOTING REQUIREMENTS.--Each long-range transportation plan required pursuant to subsection (6), each annually updated Transportation Improvement Program required under subsection (7), and each amendment that affects projects in the first 3 years of such plans and programs must be approved by each M.P.O. on a supermajority recorded roll call vote or hand-counted vote of a majority plus one of the membership present.

Section 9. This act shall take effect July 1, 2007.

